

REMARKS

The Examiner's refusal to accept applicant's prior arguments for patentability based on difficulties created by an adhesive that is not claimed is inappropriate. The specification defines reasons why structures are new and non-obvious. The claims claim the structures. The claims do not have to repeat explanation of the reasons from the specification for the new and different structure claimed.

The specification describes what a new and different structure does. The claims claim the structure.

The Examiner should discuss this distinction with Supervisory Patent Examiner Talbott.

Nevertheless, new claim 11 is presented to introduce the adhesive that presents the problem that the claimed structure solves.

The rejection of claims 5-10 under 35 U.S.C. 103 for obviousness from the Applicant's Admitted Prior Art is, therefore, again traversed on the basis of the description in the specification that, for example, page 1, lines 17-23:

Referring to Fig. 1b, because the size of the second chip 14 is larger than that of the plate 13, the testing the instrument cannot detect the thickness of the adhesive layer 15 and the size of the overflow adhesive portion 16. If the adhesive layer 15 is too thin or the overflow adhesive portion 16 is a large, the adhesive on the overflow adhesive portion 16 will be broken so that the second chip 14 cannot exactly adhere to the plate 13, which will cause the semiconductor chip package product failure.

Therefore, one objective of the invention is to provide a stacked semiconductor chip package to solve the above the problem of the prior art with the new and different structure claimed.

Furthermore, the unexpected result produced by the structure claimed is clearly indicated in the DETAILED DESCRIPTION OF THE INVENTION in the specification, page 3, lines 16-28:

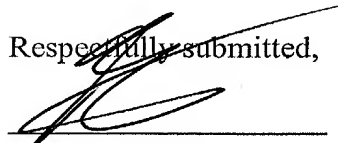
Referring to Fig. 2b, the second chip 24 has two opposed longitudinal sides defining a first length L1. Corresponding to the two longitudinal sides of the second chip 24, the plate 23 has two opposed longitudinal sides defining a second length L2. The second length L2 is larger than the first length L1 to expose the opposed longitudinal sides of the plate 23. And overflow adhesive portion 26 is formed between the plate 23 and the second chip 24, and the overflow adhesive portion 26 exposes on the plate 23. Therefore, the testing instrument can detect the size of the overflow adhesive portion 26 and the thickness of the adhesive layer 25 so as to control the quality of the stacked semiconductor chip package. The adhesion strength between the second chip 24 and the plate 23 can be augmented to raise the reliability of the stacked semiconductor chip package product.

Therefore, the particular unobvious purpose and unexpected result have been clearly disclosed in the specification to make the new and different structure claimed non-obvious as well.

In fact, a person having the references before him who was not cognizant of the appellant's disclosure would not be informed that the problems solved by appellant ever existed. Therefore, can it be said that these references which never recognized appellant's problem would have suggested its solution? We think not In re Shaffer, 108 USP 326, 329 (CCPA 1956).

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,



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